



CELEBRATING LAWYERS AND THE LAW
100 Years in the Rhode Island Federal Courthouse
Friday, September 26, 2008

PROGRAM

8:30 - 9:00 a.m. Registration (Coffee and pastries available)

9:00 - 10:40 a.m. Morning Plenary Session - “Judges’ Personal Best”

The Judges of the United States District Court for the District of Rhode Island have gained a wealth of experience and a wide body of knowledge during their collective years of service on the federal bench. At this plenary session, in a panel discussion, the Judges will share with the audience their most significant experiences in their respective careers on the bench. In particular, they will be asked to identify and share their thoughts and views of cases over which they have presided that have had the most profound personal impacts on them. They will also be asked to discuss their most humorous, disheartening, and other most significant moments on the bench. This session promises to provide extraordinary insight as to who our federal judges are and the important work our federal court performs.

Panel: Chief Judge Mary M. Lisi, District Judge William E. Smith, Senior District Judge Ronald R. Lagueux, and Senior District Judge Ernest C. Torres

Moderators: Karen Pelczarski, Esq., and Patricia Rocha, Esq.

10:55 - 11:45 a.m. Morning Breakout Sessions:

Civil - “Stop, in the Name of the Law- Lessons from the Bench Regarding the Requirements for Injunctive Relief”

Judge Smith will lead a discussion about what the requirements are for requesting temporary restraining orders, as well as preliminary and permanent injunctive relief. During this session, the pitfalls, time requirements, and local rules with respect to seeking such relief will also be discussed.

Panel: District Judge William E. Smith, Senior Judge Ronald R. Lagueux and one of our Magistrate Judges.

Criminal - “Federal Sentencing After *Booker* - and *Rita* - and *Kimbrough* - Part I and *Gall* - and...”

Sentencing in the federal courts was dramatically altered by the Supreme Court’s Booker decision in 2005. Since then, the federal sentencing regime has been revisited in a number of cases: “If there is a pattern that emerges from *Rita*, *Gall*, and *Kimbrough*, it is that the district court judges were

vindicated in all three cases.... [T]he central lesson from these decisions [is] that district courts have considerable discretion in this area and thus deserve the benefit of the doubt when we review their sentences and the reasons given for them.” United States v. Jones, 2008 WL 2500252, *6 fn. 5 (6th Cir. 06/24/08). This panel will examine the return of federal sentencing decisions to the hands of our Judges.

Panel: Chief Judge Mary M. Lisi and representatives from the United States Attorney’s Office, the defense bar and the United States Probation Office.

Appellate - “Appellate Practice - What’s New/What’s Not”

Chief Judge Sandra L. Lynch will discuss recent matters in the United States Court of Appeals for the First Circuit, such as electronic filing (CM/ECF), and Senior Circuit Judge Bruce M. Selya will offer his perspective. The Judges will also share their thoughts on what constitutes a good brief and a poor brief and will identify the most common mistakes lawyers make in their briefs. Finally, they will discuss their recent transitions to the status of Chief Judge and Senior Judge, respectively, and will share with the audience the cases and experiences that have had the most profound impact on them during their distinguished judicial careers.

Panel: Chief Judge Sandra L. Lynch and Senior Circuit Judge Bruce M. Selya

Moderator: John Tarantino, Esq.

12:00 - 1:45 p.m Luncheon at Providence Biltmore Hotel, Grand Ballroom

Michael S. Greco, Esq., is an esteemed lawyer in Boston, Massachusetts, a past president of the American Bar Association, and a dynamic and passionate speaker on the subject of the legal profession. His topic for the luncheon will be “A Renaissance of Idealism in the Legal Profession.”

2:00 - 2:50 p.m. Afternoon Breakout Sessions:

Civil - “Summary Judgement; Am I Doing This Right?”

A panel discussion by all of the District Court Judges regarding summary judgement practice and their sometimes differing requirements for filing summary judgement motions. The Judges will also share their thoughts on what makes a good motion/brief and identify the most common mistakes made by lawyers.

Panel: Chief Judge Mary M. Lisi, District Judge William E. Smith, Senior District Judge Ronald R. Lagueux and Senior District Judge Ernest C. Torres

**Criminal - “Federal Sentencing After *Booker* - and *Rita* - and *Kimbrough* - and
Part II - and *Gall* - and...”**

Continuation of morning session.

Young Lawyers - “Federal Magistrate Judges’ Personal Best”

This session will be directed to young lawyers and their practice. A panel of Magistrate Judges will participate in a discussion involving practice tips for young lawyers and will provide examples of their “personal best” experiences on the bench.

Panel: Magistrate Judge David L. Martin and Magistrate Judge Lincoln D. Almond

3:00 - 4:15 p.m. Afternoon Plenary Session - “Lawyers Making a Difference”

In a panel to be moderated by Chief Judge Lisi, the focus will be on the positive impacts lawyers have had on the judicial system and society at large. Panelists will draw on their own experiences to discuss instances where they have had such impacts. Panelists include Jared A. Goldstein, Professor of Law at Roger Williams Law School, who has represented and written about detainees at Guantanamo Bay; Walter R. Stone, a practicing lawyer at Adler, Pollock and Sheehan P.C., who has global interests, including work in Africa; and David E. Kendall, a practicing lawyer at Williams & Connolly in Washington, D.C. who has litigated a variety of civil and criminal cases at the trial and appellate level.

Panel: Professor Jared A. Goldstein, Walter R. Stone, Esq., and David E. Kendall, Esq.

4:15 - 5:30 p.m. Reception in Lobby of Courthouse

Note: This program offers a total of 5.5 CLE credits.